

(11)  
**IN THE COURT OF ABDUL BASIT**  
**ADDITIONAL DISTRICT & SESSIONS JUDGE-II/**  
**JUDGE SPECIAL COURT, ORAKZAI**

Case Title \_\_\_\_\_ State \_\_\_\_\_ vs \_\_\_\_\_ Abdul Khanan

**Order—23**

08.05.2024

DyPP for the state is present.

Accused Rizwanullah has already been convicted.

Perpetual warrant of arrest has already been issued against accused Khilwat Shah.

Accused Abdul Khanan is absent.


Abdul Nazeer and Sherzada, sureties of accused, are also absent.

Non-bailable warrant of arrest issued against accused and his sureties is returned unexecuted. Sehrab Ali, DFC/SW, in person present and to this effect his statement recorded as SW-01. According to his statement, he visited the houses of accused and his sureties, however, they were avoiding their lawful arrest; therefore, could not execute the warrant.

Perusal of record reveals that prosecution had already recorded and concluded the evidence in the instant case during trial of co-accused Rizwan, who was convicted; therefore, there is no need to record the evidence afresh in such eventuality. The evidence and record available on file provides that accused is intentional avoiding his arrest and has gone into hiding, which prima facie suggests that accused Abdul Khanan has committed the offence, therefore, in view of statement of DFC, bail order of accused Abdul Khanan is hereby recalled for breach of terms of the bail bonds, he is declared as proclaimed offender and fresh perpetual warrant of arrest is issued against him. Bail bonds submitted by Abdul Nazeer and Sherzada, sureties of accused, are hereby forfeited. The name of absconding accused Abdul Khanan be entered in register of proclaimed offenders in the concerned police station and in the office of DPO, Orakzai. Muharrir of the court is directed to open separate file u/s 514 Cr.PC and send the copy of this order sheet along with bail bonds to learned Judicial Magistrate concerned for initiating proceedings u/s 514 Cr.PC against sureties of the accused forthwith.

File consigned to record room after its completion and compilation.

**Announced**  
08.05.2024

  
**Abdul Basit**  
Addl. District & Sessions Judge-II,  
Orakzai